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C O N F I D E N T I A L SECTION 01 OF 02 TEGUCIGALPA 002052

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TAGS: SNAR PGOV PREL PINR KJUS KCRM ECON HO

SUBJECT: HONDURAN ATTORNEY GENERAL PLEDGES ENHANCED  
COOPERATION AND FOLLOW THROUGH ON KEY NARCOTICS/CORRUPTION  
CASES

REF: TEGUCIGALPA 1615

Classified By: Political Section Chief Francisco L. Palmieri;  
Reasons 1.5 (B) and (D)

¶1. (C) SUMMARY: Ambassador told Honduran Attorney General (AG) Roy Medina August 26 that he was satisfied that the AG had taken action to improve the Public Ministry's operations since their last meeting in late June. However, he pressed AG Medina on the importance of the Ministry bringing to trial and winning convictions in some pending high-profile cases. He told the AG that it is essential that the Ministry make progress in these areas in order to maintain a productive relationship with the U.S. While this meeting cleared the air and let the AG know that follow through is absolutely necessary, the sad reality is that the AG may well continue to do the bare minimum to meet our concerns while seeking to run out the clock on his term of office without offending any of the large organized crime, drug trafficking, and corrupt interests in the country. This is indicative of the current state of affairs in one of the critical institutions of the Honduran judicial system. END SUMMARY.

¶2. (C) Ambassador and Deputy Chief of Mission met with Honduran Attorney General Medina over lunch at the Ambassador's residence August 26 to discuss the Embassy's continuing concern about the poor performance of the Public Ministry (PM) in combating organized crime, narcotics trafficking, corruption and money laundering and the status of U.S. cooperation with the PM. The Ambassador told Medina that he was satisfied that the AG had taken action to improve the Ministry's operations since their last meeting in late June (see reftel). He gave Medina credit for launching a serious effort to improve the operation of the Ministry's Organized Crime Unit (OCU). The Ambassador specifically cited the removal of the OCU Chief, Mario Chinchilla, and his deputy, Rafael Soto, as important first steps, noting that the Embassy had lost confidence in them as effective law enforcement interlocutors.

¶3. (C) The Ambassador pointed out that the OCU needed to bring to trial and win convictions in some high-profile cases in order to establish much needed credibility. The Ambassador cited recent cases involving Honduran congressmen who had been implicated in narcotics cases, including the case of Avila Panchame. AG Medina agreed that the OCU needed to improve its record but cautioned that the case against Avila Panchame was still a problem. He pointed out that no drugs had yet been found from the plane crash and tests for the presence of drugs in the vehicles had been negative. He also mentioned that the PM would be pursuing its corruption case against former Commander in Chief of the Honduran military Hung Pacheco and cases against prominent Hondurans involved in bank failures.

¶4. (C) The Ambassador then outlined several key law enforcement issues that remain a concern for U.S. policy goals and assistance objectives with the Public Ministry. He underscored the importance of establishing a strong working relationship the PM's Fight Against Drugs Directorate (DLCN) and its new director, General Julian Gonzalez Irias (ret.), specifically warning Medina the Embassy would not have much patience for an obstructionist in the position. He told Medina the planned transfer of the INL-funded canine and boat projects from the DLCN to the Ministry of Public Security's Frontier Police was designed to better align those projects with the GOH entities that were best able to support them operationally and budgetarily. He also raised our concern about the PM's staffing of the Financial Investigative Unit (FIU) and the need for a more aggressive asset forfeiture effort. He told Medina there were at least USD 840,000 in cash and over a million dollars in captured aircraft, boats, and property that could be used by the GOH in the counternarcotics program. The Ambassador also mentioned the different pending drug trafficking cases that the Embassy is tracking. He told AG Medina that it is essential that the PM make progress in these areas in order to maintain a productive relationship with the U.S., stressing that the U.S. wanted to work together with the PM.

15. (C) AG Roy Medina responded that he was committed to attacking these pending drug trafficking cases and that he shared the Embassy's goals and objectives. He said his Ministry wanted to work closely with the Embassy and asked that a single Embassy point of contact be designated as the PM liaison in order to get the PM's side of the story whenever a law enforcement or prosecutorial action was being questioned. He confessed that it has been difficult to obtain fully satisfactory results for many reasons, such as lack of experienced prosecutors, insufficient police work in collecting needed evidence, and public corruption. With regard to the transfer of the INL-funded canine and boat projects, he claimed that Vice President Armida Lopez Contreras, as head of the National Anti-Drug Council, would have to have the final say and that the GOH would insist on following the process outlined in the 2000 letter of agreement. He also admitted that much remains to be done on the financial crimes cases. The work of the FIU is very important.

16. (C) The Ambassador reviewed USG assistance programs planned for the PM in the short and medium term, stressing that continued progress was essential to ensuring our continued support.

17. (C) COMMENT: AG Medina has made a real effort to respond to the Embassy's concerns and to improve the PM's ability to perform its functions during the last two months. This meeting cleared the air while letting him know that follow through was absolutely necessary and that his Ministry needs to continue to act on many of the pending legal cases in order to demonstrate its partnership with the U.S. However, the sad reality is that AG Medina may well continue to do the bare minimum to meet our concerns while seeking to run out the clock on his term of office (which ends in May 2004) without offending any of the large organized crime, drug trafficking, and corrupt interests in the country. END COMMENT.

PALMER